

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Review Item:**

Report on School Facilities Evaluation Task Force

### **Applicable Statute or Regulation:**

House Bill 380 (Budget Bill of the 2006 General Assembly)

### **History/Background:**

*Existing Policy.* House Bill 380 states:

**School Facilities Evaluation:** The Kentucky Department of Education, in partnership with the School Facilities Construction Commission, shall conduct a comprehensive evaluation of the current facilities planning process, the process for categorizing schools for planning and funding purposes, major plant maintenance planning and implementation, the process used to determine unmet school facility needs, and the degree of equity in the distribution of state capital funds. The department shall involve local superintendents, finance officers, facility managers and other local school personnel, consultants who are knowledgeable in school facilities planning and construction, and others as deemed appropriate.

The evaluation shall consider:

- (a) The feasibility of adding weights for special needs or situations, including but not limited to student growth, inadequate classroom space, student accommodations, health and safety needs, compliance with the Americans with Disabilities Act, school district size, and overall building condition as certified by the Department of Education, in the calculation of unmet needs;
- (b) The adequacy of long-range planning for plant maintenance, procedures for improving long-range planning, and the appropriate level of monitoring by local and state officials;
- (c) Measurable, objective criteria for categorizing schools for local planning purposes and for the distribution of state capital funds;
- (d) A waiver system to accommodate special facility needs;
- (e) The level of technical assistance and training that is necessary to ensure that local school district personnel are knowledgeable of the facility planning process, capital construction funding mechanisms, and long-range planning and examine the

most effective methods for providing technical assistance and training; and

(f) A detailed review of all capital funding sources, and a study of local effort, to include an examination of the individual and cumulative effect of multiple funding sources on the equitable distribution of state capital construction funds and the effects of permitting individual school districts to levy additional taxes for construction purposes based on special or unique circumstances in that school district.

Notwithstanding KRS 157.622, the School Facilities Construction Commission, in cooperation with the Urgent Need School Trust Fund Advisory Committee, shall incorporate the findings and recommendations of this evaluation in determining the 2006 Offers of Assistance to local school districts. The School Facilities Construction Commission is authorized to make the 2006 Offers of Assistance prior to completion of this evaluation if sufficient data and other information are available.

A preliminary report shall be made to the Interim Joint Committee on Appropriations and Revenue no later than September 15, 2006, and a final report, including recommendations for regulatory or statutory change, shall be made no later than September 30, 2006.

The full School Facilities Evaluation Task Force met on June 26, 2006. At that meeting, each subcommittee presented preliminary recommendations as follows:

#### **Maintenance Committee**

- The committee defined school building maintenance as: *“Keeping up and repairing what you have and increase the life of your fixed assets.”* The committee recommended three-tiered maintenance definitions as follows:
  1. Tier 1 – Operational Maintenance from General Fund. (Examples: custodial and mowing) Staffed at the school level.
  2. Tier 2 – Preventative Maintenance (mid-level, minor repairs, adding value to fixed assets). Examples include: changing filters/inspections/repairs, preventative maintenance. Staffed with district personnel. Include repairs of major equipment. It was recommended to provide allowances for funding through Capital Outlay.
  3. Tier 3 – Capital Construction. Replacement of at least one building system. It was recommended to keep major renovation for needs assessment but allow replacement of one system with capital funds when supported by facility plan.
- Provide adequate KDE staff to oversee results of planning efforts to ensure equity and adequacy
- Provide district facility plans to include Tier 1 and Tier 2 maintenance definitions
- Certify or provide professional development for architect planning and assessment
- Provide proactive maintenance plan (services performed on a regular schedule and are intended to extend the use life of a building system and reduce need for repairs)
- Consider use of capital outlay for maintenance only; pay for insurance out of general funds (Goes back to definition of maintenance.)
- Develop a statewide computer work-order system for facilities

- Provide training to architects
- Provide certification for plant managers including on-going training/certification for HVAC, electrical, and plumbing

### **Facilities Planning Process Committee**

- Review current process to create a structure that insures a quality planning outcome; the Committee recommends the timeframe of demographic projections for new construction include two cycles (eight years)
- Provide continuing education for Local Planning Committees (LPC), architects, engineers, and District Facility Plan (DFP) facilitators as a means to standardize school building evaluations
- Re-evaluate the use of the  $\frac{3}{4}$  RS Means Costs
- Review current major renovation definition: Provide flexibility of the 30 years and three systems, for use of restricted funds for replacement of individual systems (roofing HVAC)
- Review Maximum Space Program Use: strictly evaluate DFPs against program; determine percentage of space over program area to be allowed during construction
- Evaluate use of 75% space to be compliant with regulation (possibly consider less occupancy in smaller classrooms or provide flexibility), and consider early childhood development for capacity
- Consider greater role for the Kentucky Department of Education (KDE) in making planning decisions including: funding schools that are below minimum sizes; urging school replacement in lieu of renovation; determining most urgent priorities
- Consider current DFP Format: plan to be projected out 8 years for new construction
- Consider combining; combine priority 1 and 2; provide greater focus on school capacity; revise “School-Based Decision Making Program Area” to “Locally Defined Instructional Program Area” and consider not allowing waivers
- Emphasize Americans With Disabilities Act (ADA) and life safety issues: perhaps create a separate priority for each
- Consider New Technologies: interactive classrooms and wireless computer labs
- Develop local leadership through education
- Consider land acquisition in planning
- Review factors that place some districts at a disadvantage in funding (growth, poverty, declining enrollment, poor infrastructure); this will be noted in a separate study

### **Categorizing Schools Committee**

- Expand Building Evaluation Criteria (include area calculations; separate priority for Americans with Disabilities Act (ADA) compliance; separate life safety; review current evaluation criteria with architect and engineering focus groups)
- Create a new numerical modeling form; weight individual items with the evaluation; and provide new evaluation form that will automatically consider building condition and the importance of the work to be considered
- Consider only buildings in poor condition (or with deficiencies) for review (New buildings will only be reviewed for additions)
- Consider other factors (Does the building meet current educational needs?)

- Consider current Major Renovation Definition: thirty years and three systems (KDE to develop life cycle matrix of major building systems)

#### **Unmet Need Committee**

- Standardize school building evaluations by certifying architects and DFP facilitators
- Change the date of KDE Unmet Needs determination to December 15 of the odd year to more closely coincide with the RS Means price guild issuance in October (Amend KRS 157.620)
- Review factors that effect Unmet Need Calculations:
  1. Weights
  2. Use of RS Means
  3. Regional Differences
  4. Pre-school Enrollment & Early Childhood Education
- Review anomalies (factors that place some districts at a disadvantage in funding)
  1. District size (large and small)
  2. Number of Category 4 & 5 Buildings
  3. Population Projections (rapidly expanding or declining)
- Re-evaluate the use of the  $\frac{3}{4}$  RS Means Cost
  1. Investigate multipliers that would consider regional cost factors
  2. KDE shall study actual construction costs over the last (3) years
  3. Include a multiplier for the soft costs in the calculations
- Evaluate current maximum space program criteria
  1. Evaluate use of 75% space to be regulation compliant
  2. Review early childhood development (for capacity)
- Review available local revenue

The subcommittees are scheduled to continue meeting throughout July and August with the full task force meeting again on August 1, 2006.

This item is placed on the Board agenda to assure Board understanding and to provide an opportunity for Board members to offer advise and express concerns they may have.

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**Deputy Commissioner**

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**Commissioner of Education**

#### **Date:**

August 2006